

7002.0025 ANNUAL EMISSION FEE RATES.**Subpart 1. Calculation of fee.**

A. Owners or operators of emission reporting facilities must be assessed an annual emission fee for each ton of a chargeable pollutant emitted to the air by the facility. Emission reporting facilities must be assessed a fee of \$X for each ton of any chargeable pollutant as established in the most recently available emission inventory.

B. Notwithstanding item A, the owner or operator of any emission reporting facility or any facility issued an option B registration permit under part 7007.1120 that chooses to be assessed a fee under item C, subitem (1), with less than one ton of total actual emissions must be assessed an annual fee of \$25.

C. As described in subitems (1) and (2), the owner or operator of a facility issued an option B registration permit under part 7007.1120 must be assessed an annual emission fee based on either the reported quantity of VOC-containing materials purchased or used (whichever was stated in the facility's permit application) or the actual emissions from the use of VOC-containing materials.

(1) If the owner or operator chooses to be assessed the fee based on the actual emissions from the use of VOC-containing materials, the facility's actual emissions is determined in accordance with parts 7019.3000 to 7019.3090. The assessed fee is determined in accordance with item A.

(2) If the owner or operator chooses to be assessed the fee based on the quantity of VOC-containing materials purchased or used (whichever was stated in the facility's permit application), the fee is:

(a) \$50 if the quantity of VOC-containing materials is less than or equal to 1,000 gallons; or

(b) \$140 if the quantity of VOC-containing materials is more than 1,000 and less than 2,000 gallons.

Subp. 2. [Repealed, 21 SR 165]

Subp. 2a. [Repealed, L 2012 c 272 s 98]

Subp. 3. Facilities failing to submit emissions inventories. If an emission reporting facility fails to submit an emissions inventory as required by part 7019.3000, it shall be assessed an annual fee for that facility that is \$X times 1-1/2 times the most recent actual emissions in tons for which an emissions fee was assessed under part 7019.3000. If the facility has never submitted an emissions inventory as required under part 7019.3000, but has submitted a permit application under chapter 7007, it shall be assessed an annual emission fee for that facility that is \$X times 1-1/2 times the estimated actual emissions as stated in the facility's permit application.

If the owner or operator of a facility that is required to obtain a permit under chapter 7007 has not submitted a permit application which includes an estimate of the actual emissions, it shall be assessed an annual fee that is \$X times 1-1/2 times the estimated potential to emit of that facility, as defined in part 7005.0100, subpart 35a.

If a facility issued an option B registration permit fails to submit an emission inventory, it shall be assessed an annual fee of \$210.

Statutory Authority: *MS s 116.07*

History: *17 SR 440; 18 SR 614; 21 SR 165; 32 SR 904; L 2012 c 272 s 98; 46 SR 1209*

Published Electronically: *May 16, 2022*